

## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name;

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### METHOD AND APPARATUS OF MANAGING EPHEMERAL, FUNGIBLE COMMODITIES BASED UPON REAL-TIME FORWARD PRICES

the specification of which (check one) ☒ is attached hereto, or \_\_\_\_\_ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

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I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed  
Yes      No

\_\_\_\_\_  
Number    Country    Day/Month/Year Filed

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Number    Country    Day/Month/Year Filed

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

MICHAEL A. GLENN, Reg. No. 30,176  
DONALD M. HENDRICKS, Reg. No. 40,355  
JACK J'MAEV, Reg. No. 45,669  
EARLE W. JENNINGS, Reg. No. 44,804  
CHRISTOPHER PEIL, Reg. No. 45,005

SEND CORRESPONDENCE TO:

MICHAEL A. GLENN, 3475 Edison Way, Suite L, Menlo Park, CA 94025

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I hereby claim the benefit under Title 35, United States code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

60/168,478  
Application Ser. No.

12/1/99  
Filing Date

PROVISIONAL -Pending  
Status: Patented, Pending, Abandoned

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: EDWARD G. CAZALET

Inventor's signature Edward G. Cazale 7-10-2000  
Date

Residence 26340 Alexander Place, Los Altos Hills, CA 94022

Post Office Address Same

Citizenship United States

Full name of second joint inventor: TICHOMIR TENEV

Inventor's signature Tichomir Tenev 07/10/00  
Date

Residence 610 Cree Avenue, San Jose, CA 95123

Post Office Address Same

Citizenship Bulgaria

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OCT 20 5 39 ET 950

Applicant or Patentee: Edward G. Cazalet and Tichomir Tenev  
Serial No.: \_\_\_\_\_ Filing Date: Herewith  
Patent No.: \_\_\_\_\_ Issued: \_\_\_\_\_  
For: METHOD AND APPARATUS OF MANAGING EPHEMERAL,  
FUNGIBLE COMMODITIES BASED UPON REAL-TIME FORWARD PRICES

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**37 CFR 1.9(f) and 1.27(b) - INDEPENDENT INVENTOR**

As a below-named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:

**Method And Apparatus Of Managing Ephemeral, Fungible Commodities  
Based Upon Real-Time Forward Prices**

described in:

- (x) the application filed herewith  
( ) application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
( ) patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey, or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ( x ) no such person, concern, or organization  
( ) persons, concerns, or organizations listed below\*

\* NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

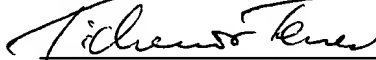
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name: Edward G. Cazalet

  
Signature of Inventor

7-10-2000  
Date

Name: Tichomir Tenev

  
Signature of Inventor

07/10/00  
Date

09613685-071100